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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,759	08/01/2003	Hans-Dieter Weigel	M&N-IT-471	5038
24131	7590	08/09/2004	EXAMINER	
LERNER AND GREENBERG, PA P O BOX 2480 HOLLYWOOD, FL 33022-2480			TRA, TUYEN Q	
			ART UNIT	PAPER NUMBER
			2873	

DATE MAILED: 08/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/632,759

Applicant(s)

WEIGEL, HANS-DIETER

Examiner

Tuyen Q Tra

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 11-19 is/are rejected.
- 7) ☒ Claim(s) 7-10 and 20-22 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>0903</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Oath/Declaration

1. The declaration filed 09/29/03 is acceptable.

Drawings

2. The Drawings filed on 09/29/03 have been declared formal by the examiner.

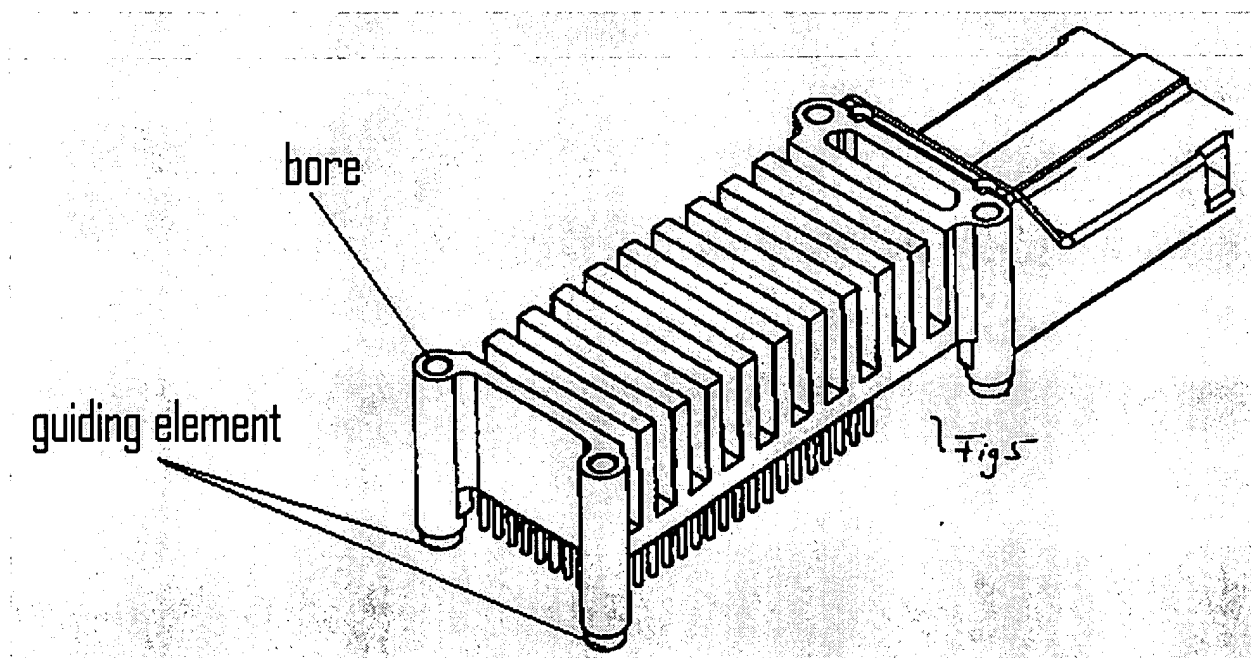
Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim rejected under 35 U.S.C. 102(b) as being anticipated by Plickert et al. (WO 00/73831A1).

- a) With respect to claim 1, Plickert et al. discloses an Electro-optical transmission module has transceiver unit to which drive unit is connected and has electrical contact elements for connection to connection elements of printed circuit board in Figure 3 comprising an electro-optical communication device; a printed circuit board with a control module electrically driving the electro-optical communication device and having bores formed therein and regions around the bores; a base part securing at least one of the electro-optical communication device and the printed circuit board; and at least two guiding elements firmly connected to the base part and passing through the printed circuit board in the regions of the bores without any play (see abstract).



- b) With respect to claim 2, Plickert et al. further discloses a substantially flat-formed contacting device (item 1) having bores formed therein and regions about the bores, and being disposed parallel to the printed circuit board and configured to electrically connect the printed circuit board to a circuit board, the guiding elements passing through the contacting device in the region of the bores without any play (Figure 1).
- c) With respect claim 3, Plickert et al. further discloses a wherein the circuit board has a transmission module mounted thereon (abstract).
- d) With respect claim 4, Plickert et al. further wherein the contacting device is a contact board (item 1, Figure 1) electrically connected to the printed circuit board and having a contact element on a first side, a second side being formed by pads of the circuit board.
- e) With respect to claims 5 and 6, Plickert et al. further disclose wherein contacting device (item 1) is mounted in a floating manner and in a direction perpendicular to the printed circuit

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board; wherein two guiding elements are provided in a diagonal configuration relative to each other (see above Figure).

g) With respect to claims 11 and 12, Plickert et al. further disclose wherein the guiding elements are guiding bolts pressed positionally exactly into the base part; wherein the base part is a heat sink.

h) With respect to claims 13 and 14, Plickert et al. further disclose wherein the guiding elements protrude to allow the guiding elements to be inserted into assigned bores of a mounting board; wherein the guiding elements have an internal thread.

k) With respect to claims 15 and 16, Plickert et al. further disclose wherein a further module component fixed by the guiding elements relative to the base part; wherein the electrooptical communication device is a transmitter

l) With respect to claims 17 and 18, Plickert et al. further disclose wherein the electrooptical communication device is a receiver; wherein the electrooptical communication device is a transceiver.

m) With respect to claim 19, Plickert et al. further disclose wherein a circuit board; and a substantially flat-formed contacting device having bores formed therein and regions about the bores, and being disposed parallel to the printed circuit board and electrically connecting the printed circuit board to the circuit board, the guiding elements passing through the contacting device in the region of the bores without any play.

Allowable Subject Matter

5. Claims 7-10 and 20-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The reason for the indication of allowable subject matter is that (claims 7, 20) a pressure-exerting device pressing the base part and the printed circuit board, and the contacting device, against one another in a direction perpendicular to the printed circuit board; (claim 9) two spring-actuated screwing elements disposed diagonally on said base part, said screwing elements and said guiding elements defining corners of a rectangle disclosed in the claims is not found in the prior art.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

REZNIK et al. (WO 03/054608A1) discloses an electrooptical transmission module in Figure 1 comprising of bores (7) with guiding elements (72 and 74), a base (7), a printed circuit board (4) (see abstract).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuyen Tra whose telephone number is (571) 272-2343. The examiner can normally be reached on Monday to Thursday from 8:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Epps, can be reached on (571) 272 - 2328. The fax number for this Group is (703) 872-9306.

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June 27, 2004



Hung Xuan Dang
Primary Examiner